

## VERSION WITH MARKINGS TO SHOW CHANGES MADE

### IN THE CLAIMS:

*Claim 10 has been amended as follows:*

10. (**Amended**) The water-based metallic coating composition as described in claim [1] 2, comprising the acid group-containing resin in a proportion falling in a range of 0 to 5 parts by weight per 100 parts by weight (solid content) of the resin composition for the water-based coating composition.

### REMARKS

Favorable reconsideration is respectfully requested.

The claims are 1 to 13.

It is noted that claims 5, 9, 11 and 12 (and apparently claim 7) are indicated to be allowable if rewritten in independent form. However, for reasons set forth below, it is evident that all of the claims in this application are now in condition for allowance.

The above amendment is responsive to the rejection of claim 10 as indefinite in lacking antecedent basis.

Claims 1-4, 6, 8 and 13 are rejected under 35 USC 103(a) as being unpatentable over Diefenbach et al.

This rejection is respectfully traversed.

A brief discussion of the present invention will be of assistance in appreciating Applicants' reasons for traversal of the rejection.

The present invention relates to a novel water-based metallic coating composition capable of forming a coating film which is excellent in a flip-flop property and which has no metallic mottling.

A water-based metallic coating composition prepared by mixing and dispersing a resin for a water-based metallic coating composition and a metallic pigment in water is known and is used as a top coating composition for an automobile outside plate. This coating composition is suitable in terms of saving resources and controlling pollution. However, there are the defects in that the coating film formed therefrom has no satisfactory flip-flop property and is liable to bring about metallic mottling. Such defects are fatal for a top coating composition for an automobile outside plate, and a water-based metallic coating composition having no such defects is strongly desired.

An object of the present invention is to solve such defects as described above, which are involved in conventional water-based metallic coating composition, that is, to provide a water-based metallic coating composition capable of forming a coating film which is excellent in flip-flop property and which is free from metallic mottling.

Intensive research by the present inventors has resulted in the finding that the objectives described above can be achieved by further blending metal silicate and a polyamide resin with a water-based metallic coating composition comprising a resin composition for a water-based coating composition and a metallic pigment.

Hence, the essential feature of the water-based metallic coating composition of the present invention resides in the following two components:

(c) a metal silicate, and

(d) a polyamide resin

have been further blended with a water-based metallic coating composition which comprises:

(a) a resin composition for a water-based coating composition, and

(b) a metallic pigment.

As is clearly seen in Table 1 at page 10 of the present specification, when metal silicate of the above (c) is lacking (Comparative Example 1), or when polyamide resin of the above (d) is lacking (Comparative Example 2), the thus formed metallic coating film has defects in that the flip-flop (FF) property is insufficient, and that metallic mottling is liable to occur, and, thus, the object of the present invention cannot be achieved.

Diefenbach et al. (U.S. 4,554,212) as is clearly seen from the ABSTRACT and other passages, relates to a binder for cathodically depositable coating composition, and has nothing to do with a metallic coating composition which is the objective of the present invention. It is practically impossible to form a metallic coating film with use of the electrocoating lacquering process which is mentioned in Diefenbach et al.

It is clear therefore that Diefenbach et al. which discloses only cathodically depositable coating composition, teaches or suggests nothing about the water-based metallic coating composition of the present invention.

The rejection also states, "The composition are further taught as comprising silicate and pigment including iron oxide (column 18, line 12 and column 19, line 25)". Diefenbach et al., however, neither mention nor suggest "iron oxide" at all (iron oxide *per se* is not a metallic

pigment), while referring to an idea of blending lead silicate as a component of pigment dispersion (see column 5, line 35).

Furthermore, although the rejection refers to columns 18 and 19, Diefenbach et al. ends with column 8.

As stated above, Diefenbach et al. teaches or suggests nothing about the aforementioned features and advantages of the present invention.

In other words, Diefenbach et al. has nothing to do either with the improvement of flip-flop (FF) property or with the avoidance of metallic mottling in a metallic coating film which is formed from a water-based metallic coating composition.

For the foregoing reasons, it is apparent that the rejection on prior art is untenable and should be withdrawn.

No further issues remaining, allowance of this application is respectfully requested.

If the Examiner has any comments or proposals for expediting prosecution, please contact the undersigned at the telephone or facsimile number below.

Respectfully submitted,

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